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In the Matter Of:)
)
Republican National Committee, *et al.*) **MUR 6888**
)

Response of NRSC to the Second Supplemental Complaint

This constitutes NRSC's response to the letter received September 14, 2015, notifying NRSC that it has been named as a Respondent, for the first time, in the Second Supplemental Complaint filed by the American Democracy Legal Fund ("ADLF") in the above-captioned Matter Under Review ("MUR").

ADLF's addition of NRSC to its complaint against 59 separate Respondents lacks any basis in law or fact and is entirely without merit. In fact, other than to harass its political opponents, it is not clear why NRSC is even included. ADLF merely cites one payment of \$1,650 to i360 for "web services." Apart from this single listing in Exhibit III with no corresponding explanation, ADLF makes no specific factual allegations against NRSC whatsoever.

First, even the scant facts ADLF includes are wrong. i360 is a commercial database vendor which hosts and provides NRSC with access to voter data in exchange for a fee. i360 does not facilitate or otherwise enable any strategic communication whatsoever between NRSC and other i360 clients, nor does i360 provide NRSC with the ability to share or receive any non-public strategy or plans with or from outside groups. i360 does not proactively transmit data to or from NRSC, and it does not prepare voter lists or any other information for NRSC, other than providing technical assistance to NRSC when requested. In addition, NRSC's points of contact are subject to i360's internal firewall policy. To NRSC's knowledge, the services which i360 provides to NRSC are offered on the Democratic side by several vendors, including NPG VAN, Catalyst, the Analyst Institute, and ActBlue.

Second, ADLF gets the law wrong. The fact that i360 counts NRSC and other Respondents among its clients does not constitute coordination under federal law. Contrary to ADLF's baseless claims, i360 in its work for NRSC does not "[identify] voters or [develop] voter lists, mailing lists, or donor lists." *See* 11 C.F.R. § 109.21(d)(4)(ii). Instead, it maintains a database of information, which NRSC then may access at its convenience and per its specific needs. i360 does no work whatsoever to identify voters or develop any lists for NRSC. NRSC also does not engage i360 to develop media strategy; select audiences; conduct polling; raise funds; develop the content of a public communication; produce a public communication; identify voters or develop voter lists, mailing lists, or donor lists; select personnel, contractors, or subcontractors; or consult or otherwise provide political or media advice. *See id.* Thus, the "common vendor" element of the conduct test for coordination is not remotely satisfied.

This complaint, now nearly a year old, is a frivolous attempt by a Democrat hit group to waste the time and resources of as many conservative candidates and committees as possible. I respectfully urge the Commission to dismiss the Complaint in its entirety.

Respectfully submitted,



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